

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

CIVIL SUPPLIES DEPARTMENT – Ranga Reddy District - – Vanam Yadaiah, Prop. of M/s. Sri Rama Krishna Binny Rice Mill – Karmanghat, Saroornagar – Seizure of Paddy Rice, Raw Rice and broken rice – Filed a case under Section 6-A of E.C. Act – Confiscation orders issued – Request for payment of procurement price for remaining seized rice – Payment of amount Rs.13,75,107/- - Orders – Issued
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CONSUMER AFFAIRS, FOOD AND CIVIL SUPPLIES (CS.II-OP) DEPARTMENT

G.O.Rt.No. 118

Dated: 6-11-2010

Read:

From the Commissioner of Civil Supplies, A.P., Hyderabad Lr.No.P1(3)/1903/2009, dated 9-6-2010.

O R D E R:

In the reference read above the Commissioner of Civil Supplies, Hyderabad has informed that on 30-8-2008, a quantity of 13.167 MTs. of PDS rice in 226 bags was loaded into Truck No.AP 29 T 114 and dispatched from FCI, Cherlapalli for delivery at Kapra MLS Point of Ranga Reddy District by the Stage-I Food grains transport contractor.

2. The above vehicle was caught and seized by the Vigilance and Enforcement Authorities on 31-8-2008 while un-loading the PDS rice stock in the premises of M/s. Rama Krishna Binny rice Mill, Karmanghat, Ranga Reddy District. The Asst. Supply Officer, Circle.III has inspected the premises of Sri Ramakrishna Binny Rice mill, Saroornagar, on the ground that the lorry carrying PDS rice was being un-loaded at the said rice mill at Saroornagar, Kharmanghat and booked 6-A case against the mill and reported that, he has seized 109 qtls of PDS rice and 1666.25 Qtls of Raw Rice, 816.4 Qtls. of Paddy and 2.5 Qtls. of Broken rice all worth Rs.39,80,700/- from the mill.

3. The Joint Collector, Ranga Reddy District has further informed that, the Dist. Collector, Ranga Reddy Dist. has issued interim disposal orders directing the District Manager to take possession of entire raw rice including PDS rice and resultant raw rice arrived from Paddy to be made available to the Consumer through PDS and to dispose of 2.5 qtls of broken rice through open auction. Accordingly, the Corporation has acted as a custodian of case property and a total quantity of 2314.79 qtls of Raw Rice (1666.25 qtls. of rice, 510.93 qtls. of Resultant raw rice arrived out of 816.40 qtls. of seized paddy and 137.61 qtls. PDS Rice as arrived after actual weighment instead of reported 109 qtls.) has been distributed under PDS during October & November, 2008 and realized an amount of Rs.4,05,088.25.

4. The Collector, Ranga Reddy Dist. on furnishing of 15% of Bank Guarantee on the total value of the seized stock for an amount of Rs.6,00,000/- by the miller has issued orders to the Dist. Manager, A.P. State Civil Supplies Corporation Ltd., Ranga Reddy Dist. to take the delivery of seized stocks of Paddy, Raw Rice from the custodian and get the paddy milled and dispose the same through PDS and the Dy.Collector & Tahasildar, Saroor Nagar was directed to dispose the 2.50 qtls. of broken rice through open auction and release the amount to the miller.

5. The APSCSCL has made the payment of Rs.18,07,059/- for the seized stock of 2177.17 qtls of rice (1666.25 qtls + 510.93 qtls. Resultant Rice from 816.40 qtls. of Paddy) seized from M/s.Ramakrishna Binny Rice mill at the rate of 830 per quintal as per G.O.Ms.No.68, CAF&CS (CS.I) Dept., dated 10-9-1994.

6. The District Collector, Ranga Reddy Dist. has issued final orders confiscating 5% of 1666.25 qtls. of Raw Rice seized from the mill and 100% confiscation of 109 qtls. of

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PDS Rice (Later turned out to be 137.61 qtls. on actual weighment) illegally purchased by the miller. Accordingly the miller has remitted an amount of Rs.1,49,953/- at the rate of Rs.1800/- towards the 5% confiscated rice of 83.31 qtls. Vide challan No.5757, dated: 10-2-2009 which was remitted to Civil Supplies Head of Account and the bank guarantee was released to the miller and an amount of Rs.24,082/- towards confiscation of 137.61 qtls. of PDS rice was remitted to the Civil Supplies Head of Account by the Civil Supplies Corporation.

7. As per complainants report, interim disposal order were issued to dispose the 109 qtls.of PDS Rice which were seized in the mill and in the lorry. Where as after weighing the seized PDS rice at the time of shifting of stocks by the officials of the Civil Supplies Corporation, it was found as 137.61 qtls. of PDS rice instead of 109 qtls. Accordingly the Dist. Manager, APSCSC Ltd, Ranga Reddy Dist. has disposed the seized PDS rice through PDS and remitted Rs.24,082/- towards confiscation of 137.61 qtls. of PDS rice.

8. Now the miller has requested to pay the differential amount for released stock of remaining raw rice at procurement rates instead of issue price already paid by A.P. State Civil Supplies Corporation Limited.

9. In view of the above, the Collector (CS), Ranga Reddy Dist. has informed that the amount to be paid to the miller is calculated as follows:

As per Sec. 6-C (2)(i) of the E.C. Act, 1955 and
Sub-Section B of Section 3 of E.C. Act.

Value of total stock of 2177.18 qtls of Raw Rice seized from the Rice Mill at the rate of procurement price is i.e. 1461.60 qtls is	Rs.31,82,166/-
Deducted value of confiscated stock of 83.31 qtls (5% of 1666.25) of Raw Rice at the rate of Rs.1800/- per qtl (market price out of total value to be paid)	1,49,963/-

	30,32,303/-
Deducted the amount already paid by the APSCSC Ltd at FCI issue Price i.e. Rs.830/- per qtl.	18,07,059/-

	12,25,244/-
Add the amount paid by the miller towards confiscation vide Challan No.5757, dt.10-2-2009	1,49,963/-

Amount refundable	13,75,107/-

10. The Collector (CS), Ranga Reddy District has requested to sanction an amount of Rs.13,75,107/- for payment of differential amount @ procurement rates as shown above.

11. The Commissioner of Civil Supplies , Hyderabad has informed that there is no budget is available for payment of differential amount, i.e., Procurement Price amount to the respondent, he has therefore requested the Government to sanction an amount of Rs.13,75,107/- so as to enable to pay the Procurement Price to the release the stock to the respondent.

12. Government after careful examination of the proposals hereby accord sanction for an amount of Rs.13,75,107/- (Rupees thirteen lakhs seventy five thousand one hundred and seven only) for payment of differential amount to the respondent.

13. The expenditure sanctioned at para (12) above shall be debited to “3456 Civil Supplies – M.H.001 Direction & Administration – SH (03) District Offices – 500 Other charges – 503 other expenditure (Charged)”, and shall initially be met by way of an advance from Contingency Fund, orders regarding which will be issued by Finance (BG) Department separately.

14. The Commissioner of Civil Supplies, Hyderabad shall take action for obtaining supplementary grant at appropriate time towards recoupment of the advance sanctioned from Contingency Fund.

15. This order issues with the concurrence of Finance Department vide their U.O. No.28478/169/A1/Expr.AHFFCS&E/10, dated 23-10-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SANJAY JAJU
EX-OFFICIO SECRETARY TO GOVERNMENT

To
The Commissioner of Civil Supplies, Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Accountant General, A.P., Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Collector (CS), Ranga Reddy District.
The District Treasury Officer, Ranga Reddy District.
The Finance (Expr.AHFFCS&E) Department.
The Finance (BG) Department.

//forwarded::by order//

SECTION OFFICER